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Judge Mary Jo Heston
CHAPTER 13
Hearing Date: December 6, 2018
Hearing Time: 1:00 p.m.
Response Date: November 29, 2018

4 UNITED STATES BANKRUPTCY COURT
5 WESTERN DISTRICT OF WASHINGTON AT TACOMA

6 IN RE:

7 GREINER, James Michael,
8 Debtor.

No. 18-43364

DEBTORS' RESPONSE TO MOTION FOR
RELIEF FROM STAY BY WILMINGTON
SAVINGS and PROOF OF SERVICE

10 COMES NOW, the Debtor, by and through his attorney, Travis A. Gagnier, and responds
11 to the Motion for Relief from Stay by Wilmington Savings (hereafter "Creditor").

12 Debtor filed a plan which provides regular monthly payments to the Creditor. Debtor is
13 making the plan payments through a wage order. Debtor has in good faith set up payments
14 through tfs online payment service to ensure that payments are made each week until the wage
15 order takes place. Payments are being made. Debtor very much wants to save his home. The
16 Debtor requested until December 31, 2020, so that he would have time to increase his income in
17 order to qualify for a loan modification.

18 Creditor is no worse off under the proposed plan. It will receive monthly, contract
19 payments through December 31, 2020. It will also receive some money on the arrears. If the
20 debtor is not successful with a loan modification, Debtor will work to refinance and/or list the
21 property for sale. Worst case, Creditor gets monthly house payments up until if later forecloses
22 on the property. Debtor is buying the time he is requesting to save his home through December
23 31, 2020. There is no basis to lift the stay due to the monthly payments. Debtor is not modifying
24 the terms of the underlying mortgage through the plan.

25 In order to assuage the concerns of Creditor, Debtor will agree to a "drop-dead" or
26 strict compliance order through December 31, 2020, for his plan payment. For these reasons

27 DEBTORS' RESPONSE TO MOTION
FOR RELIEF FROM STAY and
28 PROOF OF SERVICE - 1

LAW OFFICES OF TRAVIS
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1 the debtor asks that the motion for relief be denied and the debtor be allowed to continue
2 with his plan.

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4 Respectfully submitted this 31st day of October 2018.

5 /s/ Travis A. Gagnier
6 Travis A. Gagnier, #26379
7 Attorney for Debtor

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9 **PROOF OF SERVICE**

10 I declare under penalty of perjury under the laws of the State of Washington that I filed the original of the foregoing
11 with the United States Bankruptcy Court in Tacoma and served a true copy thereof to:

12 Michael G. Malaier Wilmington Savings
Chapter 13 Trustee c/o The Law Offices of Michelle Ghidotti

13 via ECF, and to:

14 Debtor

15 via U.S. first-class mail, postage pre-paid, on the 6th day of November 2018.

16 /s/ Jennifer Roberts
17 Jennifer Roberts
18 Sr. Paralegal

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27 DEBTORS' RESPONSE TO MOTION
28 FOR RELIEF FROM STAY and
PROOF OF SERVICE - 2

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